

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

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LITIGATION

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: Civil Case No. 1:19-cv-01704 (JSR)  
: ORAL ARGUMENT REQUESTED  
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**NOTICE OF DEFENDANTS' JOINT RENEWED MOTION TO DISMISS  
THE THIRD CONSOLIDATED AMENDED CLASS ACTION COMPLAINT**

PLEASE TAKE NOTICE that pursuant to the accompanying (i) Defendants' Memorandum of Law in Support of Their Renewed Joint Motion to Dismiss the Third Consolidated Amended Class Action Complaint for Failure To State a Claim, and (ii) the Declaration of Andrew Weaver, dated September 17, 2019, and the exhibit thereto, undersigned defendants will move this Court, before the Honorable Jed S. Rakoff, at the Daniel Patrick Moynihan United States Courthouse, Courtroom 14B, 500 Pearl Street, New York, New York, on September 27, 2019 at 2:00 PM, or at such other date and time determined by the Court, for an Order dismissing portions of the Third Consolidated Amended Class Action Complaint with prejudice for failure to state a claim upon which relief can be granted under Federal Rule of Civil Procedure 12(b)(6), and granting such other and further relief as the Court may deem just and proper.

As set forth in the Court's Opinion and Order (ECF No. 253), plaintiffs shall file any opposition to this motion by September 23, 2019.

Dated: September 17, 2019  
New York, New York

Respectfully submitted,

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\* In accordance with Rule 8.5 of the S.D.N.Y. Electronic Case Filing Rules & Instructions, the parties hereto hereby represent that all defendants listed below consent to the filing of this Notice of Defendants' Renewed Joint Motion to Dismiss The Third Consolidated Amended Class Action Complaint and the accompanying Memorandum of Law.

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